(c) Upon oral or written Motion by the Defendant, or the Guardian Ad Litem, or on the Court's own Motion, the Court shall appoint one or more independent experts to examine the Defendant. Upon the filing with the Court of a verified statement of services rendered by the expert or experts, the Court shall determine reasonable fees for the service performed. If the Defendant is unable to pay the fee, the Court shall enter an Order upon the State to pay the entire fee or such amount as the Defendant is unable to pay, from funds appropriated by the General Assembly for that purpose.

(d) In an uncontested proceeding for the appointment of a guardian, the person who prepared the report required by Section 11a-9 will only be required to testify at trial upon Order of Court for cause shown.

(e) At the hearing the Court shall inquire regarding: (1) the nature and extent of the Defendant's general intellectual and physical functioning; (2) the extent of the impairment of his/her adaptive behavior if he/she is developmentally disabled, or the nature and severity of his/her mental illness if he/she is mentally ill; (3) the understanding and capacity of the Defendant to make and communicate responsible decisions concerning this person, (4) the capacity of the Defendant to manage his Estate and financial affairs; and (5) the appropriateness of proposed and alternate living arrangements; and (6) any other area of inquiry deemed appropriate.

(f) An authenticated transcript of the evidence taken in a judicial proceeding concerning the Defendant under the Mental Health and Developmental Disabilities Code in evidence at the hearing.

(g) If the Petition is for appointment of a guardian for a disabled beneficiary of the Veterans Administration, a certificate of the Administrator of Veterans Affairs or his representative stating that the beneficiary has been determined to be incompetent by the Veterans Administration examination, in accordance with the laws and regulations governing the Veterans Administration effect upon the date of issuance of the Certificate and that the appointment of a guardian is a condition precedent to the payment of any money due the beneficiary by the Veterans Administration, is prima facie evidence of the necessity for such appointment.

_____
Date

_____
Guardian Ad Litem

PROOF OF SERVICE

The undersigned certifies that on _____ at _____ he/she delivered a copy of the foregoing Notice of Rights and attached Petition to _____ at his/her place of residence at _____, Illinois, after observing him/her and orally informing him/her of the contents of the Petition and of his/her rights under 755 ILCS 5/11a-11.

_____
Signature

Print Form